

Meeting Minutes October 2, 2003

Town of Los Altos Hills City Council Regular Meeting

Thursday, October 2, 2003, 6:00 P.M.
Council Chambers, 26379 Fremont Road

1. CALL TO ORDER, ROLL CALL, AND PLEDGE OF ALLEGIANCE

Mayor Cheng called the Regular Meeting of the City Council to order at 6:05 p.m. in the Council Chambers at Town Hall.

Present: Mayor Cheng, Mayor Pro Tem O'Malley, Councilmembers Fenwick, Kerr and Warshawsky

Absent: None

Staff: City Manager Maureen Cassingham, City Attorney Steve Mattas, Planning Director Carl Cahill, City Engineer/Director of Public Works Mintze Cheng, Administrative Services Director Sarah Joiner, Parks and Recreation Supervisor Jimmy Forbis and City Clerk Karen Jost

Press: None

Mayor Emily Cheng announced the wonderful news that Councilmember Warshawsky is a new Daddy. The Council and the community audience extended their congratulations to Councilmember Warshawsky and his wife Lee Ann on the birth of baby Jake Dean Warshawsky.

MOTION SECONDED AND CARRIED: Moved by O'Malley, seconded by Warshawsky and passed unanimously to limit the length of time for public comments to three minutes.

Agenda Item 6.1: Mayor Cheng announced that the applicant has withdrawn his application from consideration.

2. APPOINTMENTS AND PRESENTATIONS

None

3. PLANNING COMMISSION REPORT

Planning Director Carl Cahill reported that the Planning Commission's next meeting is scheduled for October 9, 2003.

4. CONSENT CALENDAR

Item Removed: Item 4.6 (O'Malley)

MOTION SECONDED AND CARRIED: Moved by Fenwick, seconded by Kerr and passed unanimously with Councilmember Warshawsky abstaining from the vote on Item 4.4 to approve the remainder of the consent calendar, specifically;

- 4.1 Approval of Minutes: Regular City Council Meeting September 18, 2003
Special City Council Meeting September 18, 2003
- 4.2 Review of Disbursements: 09/10/2003 – 09/23/2003 \$190,740.55
- 4.3 Approval of Resolution Supporting the Statewide Ballot Initiative to Require Voter Approval Before the State Government May Take Local Funds.
Reso # 75-03
- 4.4 Approval of a Conditional Use Permit Review; Westwind Barn; 27210 Altamont Road
- 4.5 Acceptance of Grant of Conservation Easement; Lands of Shantz and Simon; 13561 Hill Way Reso# 76-03
- 4.7 Notification of Planning Commission Denial of a Request for a Permit Modification to Retain the Existing Above Ground Utility Services to the Residence; Lands of Dallas, 26530 Weston Drive (157-03-PM)
- 4.8 Notification of Fast Track Approval; A Request for a Site Development Permit for an Addition, Secondary Dwelling Unit and Pool; Lands of Chou, 12951 Cortez Lane (132-03-ZP-SD-GD)
- 4.9 Authorization for Issuances of Town Credit Card Reso# 77-03

Item Removed:

- 4.6 Notification of Planning Commission Approval of a Modification to an Approved Condition of Approval for Site Development Permit for a New Residence Approved July 4, 2003, Substituting Three (3) 84" Box Oak Trees with Three (3) 72' Box Oak Trees; Lands of Dubey, 26475 Ascension Drive (187-01-ZP-SD)

Mayor Pro Tem O'Malley requested clarification on this item from Planning Director Cahill.

Cahill explained that this had been reviewed by the Planning Commission due to the neighborhood involvement with the project. Generally, staff would approve a modification of this nature administratively.

MOTION SECONDED AND CARRIED: Moved by O'Malley, seconded by Kerr and passed unanimously to approve the modification to an approved condition of approval for site development permit for Lands of Dubey, 26475 Ascension Drive.

5. UNFINISHED BUSINESS

5.1 Update on Mayor's Goals

5.1.1 New Town Hall – Status Report

Councilmember Kerr reported that Peter Duxbuy, Architect for the Town Hall project, has completed his design. The New Town Hall Committee has invited neighbors to attend a preview presentation and question and answer session with the Architect on Monday, October 6th. The proposed design and budget will be forwarded to Council for a Public Hearing at the October 16th meeting.

5.1.2 Undergrounding of Utilities – Status Report

Councilmember Warshawsky reported that the Undergrounding Committee expects the R.W. Beck report to be finished in December. They have scheduled a meeting with City Attorney Steve Mattas to discuss the legal feasibility of financing options for the project and a meeting on October 9th with Goodbe Research to discuss a proposal for the Town survey. The unbiased survey will assist in assessing the pulse of the community for this project.

5.1.3 Master Pathway Map – Status Report

Dot Schreiner, 14301 Saddle Mountain Road, reported that the “Map Group” is continuing to check pathway easement documentation. They are cross-referencing the grant deeds with the map. During their research, they have discovered deeds that have not been recorded. The group is continuing to meet with the Pathway Committee and advise them of their findings.

Councilmember Warshawsky added that the Pathway Committee appreciates the work of the group and their efforts to get an accurate map. The Pathway Committee is looking forward to moving to the next phase of the project and getting public input. The Committee's first priority is the completion of the Pathway Map revision.

5.1.4 Storm Water Master Plan – Status Report

City Engineer/Public Works Director Cheng noted that Council at their last meeting approved the agreement with Nolte Associates. The study is underway and she will return to Council with status reports of the project.

5.1.5 Visit to China to Explore Business Opportunities –Postponed for Discussion in Spring 2004

5.2 Results of Operating Hours Survey

Administrative Services Director Sarah Joiner summarized for Council the progress of implementation of the recommendations of Matrix Consulting Group for the Planning

and Building Departments. She noted that the fee schedule will be re-examined in November, 2003; the recommended personnel changes have been completed; and responses of a survey of the Towns customers regarding hours of operation has been tabulated with two thirds of the respondents not in favor of extended hours. Based on the results of the questionnaire, staff did not recommend any change to the hours of operation of Town Hall.

6. NEW BUSINESS

6.1 Appointment to the Parks and Recreation Committee-2 vacancies

Application withdrawn. No Council Action

6.2 Proposal for Bullis School Playing Fields – Parks and Recreation Committee

Parks and Recreation Supervisor Jimmy Forbis introduced this item to Council. He reported that the priority issue, at this time, is an evaluation of the drainage on the site. City Manager Cassingham, City Engineer Cheng and Forbis have surveyed the fields with Los Altos School District staff, Kurt Weaver, Director of Facilities and their engineering consultant, Bryce Carroll.

Councilmember Kerr noted that the School District is studying drainage improvement plans for Bullis School. The request for funds from the Parks and Recreation Committee before Council at this time is for a not-to-exceed amount for conceptual drawings of the proposed recreation area that could be used in negotiations with State agencies for project funds and with the School District. There is no intention to move forward with the drawings until the drainage issue is better understood.

OPEN PUBLIC COMMENT

Rebecca Hickman, Co-Chair Parks and Recreation Committee, commented that at this time, little is known about the future use of the Bullis School site and the playing fields are a positive means for the Town to have a connection with the site and ensure that it remains a part of the community.

CLOSED PUBLIC COMMENT

MOTION SECONDED AND CARRIED: Moved by Kerr, seconded by O'Malley and passed unanimously to approve the Parks and Recreation Committee's request for funds not-to-exceed \$5,000 for landscape architectural services to be used in the planning phase of the proposed Bullis Park.

- Status of Agreement with Los Altos School District for Playing Fields

No report.

6.3 Los Altos Hills/Los Altos Little League Proposal for Two Electronic Scoreboards at the Purissima Little League Fields

OPENED PUBLIC COMMENT

CLOSED PUBLIC COMMENT

Following Council discussion, it was agreed that scoreboards were appropriate for the site but that advertising was not permitted per the Town's municipal code on Town property.

Mayor Pro Tem O'Malley questioned whether the neighbors had been advised of the proposal for scoreboards. Forbis explained that the placement of the scoreboards will address the visibility issue from the road. Illumination had not been a factor, there will be minimal lighting and the Little League games are played during the day.

Mayor Cheng asked if the neighbors had been noticed. Planning Director Cahill explained that it was not a requirement for this request, however, if the Little League does pursue additional items like amplified sound, a Conditional Use Permit may be required. At that time, neighbors would be noticed and there concerns would be addressed

MOTION SECONDED AND CARRIED: Moved by Fenwick, seconded by O'Malley and passed unanimously to approve two scoreboards subject to the location being approved by staff.

7. REPORTS FROM COMMITTEES, SUB-COMMITTEES, AND COUNCILMEMBERS ON OUTSIDE AGENCIES

Mayor Pro Tem O'Malley reported on the Adobe Creek Watershed meeting. He noted that seven staff from the Santa Clara Valley Water District had attended. Additional agencies had also sent representatives. The Water District had been cooperative and may be more amenable to a solution that would be agreeable to the Town. O'Malley thanked the Mandels, Mr. Rogez, Nancy Couperus and other volunteers working on this project for all of their efforts.

8. STAFF REPORTS

8.1 City Manager

8.2 City Attorney

8.2.1 Status Report on the Church of the Redeemer, Magdalena Avenue,
Los Altos

The City Attorney reported that Planning Director Carl Cahill has scheduled a meeting with County staff to review this project and will report back to Council at their next meeting.

8.3 City Clerk

8.3.1 Report on Council Correspondence

Mayor Cheng noted that there had been a lot of correspondence to Council on the Town Hall noise issue.

Mayor Pro Tem O'Malley commented that to address the wishes of the neighbors had an impact on staff and people attending meetings at Town Hall during the noon hour. By closing the parking lots for maintenance, cars have to be relocated. There really is no good time during working hours to perform this maintenance, so there is a down-side to this experiment.

9. COUNCIL-INITIATED ITEMS

9.1 Request for funds for the Parks and Recreation Committee and the Public Education Committee – Councilmember Kerr

Councilmember Kerr noted that the Parks and Recreation request had been granted as Item 6.2

Councilmember Kerr introduced Steve Hubbell, Chair of the Public Education Committee to explain the Committee's request for funds. Hubbell explained the Committee has requested a database from the Santa Clara County tax assessor that will assist them in developing a database that will give them addresses to assessor's parcel numbers to tax rate areas which will help to identify dollars to school districts. The request for \$1,000 will cover this cost and additional unexpected costs.

MOTION SECONDED AND CARRIED: Moved by Kerr, seconded by O'Malley and passed unanimously to approve the Public Education request for a maximum of \$1,000 for outside services.

Councilmember Kerr requested that the City Attorney review permissible uses of the site. The City Attorney responded that he is reviewing the California statutes to be certain that there isn't anything in California law for land use of surplus school sites that preempts the Town's Ordinances and authority.

9.2 S1-Alternate Trail Meetings with Stanford – Councilmember Kerr

Councilmember Kerr reported that he, Carl Cahill, Chris Vargas and several Town residents had recently hiked the Stanford trails with Stanford officials. He has met with Supervisor Liz Kniss and Assemblyman Joe Simitian to garner background information on this issue. Kerr explained that he would like to meet with the Christopher's Lane residents to review the issues that have surfaced since the recent Council hearing on this subject and options that might address their concerns for security and parking issues.

Mayor Cheng commented that she would like to walk the different trail options and is available for the next outing.

Council agreed by consensus to have Councilmember Kerr met with the Christopher's Lane neighborhood to discuss the S-1 Trail options and to report back to Council.

10. PRESENTATIONS FROM THE FLOOR

Mark Jensen, 26225 Purissima Road, addressed Council on the closure of Bullis School. He has been attending the Los Altos School District Board meetings and is very concerned that they will not grant the option of leasing the property to the Charter School. He would like Council to consider taking action and asking the School District to delay leasing of the property. Jensen added that he is discouraged by the language in Proposition 39 and believes that it may not provide the leverage that the Charter School needs to be granted use of Bullis School by the District. He distributed a fact sheet to Council on the subject.

Jitze Couperus, 13680 Page Mill Road, alerted Council to the resumption of mining being done by Hanson-Permanente and the resulting scarring of the hillside in the Cupertino foothills. The project is visible from various locations in Los Altos Hills and Los Altos.

Nancy Couperous, Member-Adobe Creek Watershed Group, thanked the City Manager, City Engineer, and Mayor Pro Tem O'Malley for their efforts of support and their attendance at a recent collaborative meeting. She added that it had been very positive and the project is moving in the right direction.

Steve Hubbell, 26530 Conejo Court, neighbor of Town Hall, thanked staff for their recent "noise experiment" at Town Hall that includes the rescheduling of landscaping services to the noon hour. He also reported on a recent Planning Commission meeting hearing that he had attended. He did not feel it was appropriate for the applicant to return to the Commission requesting a modification of a condition of approval after they had made the changes. He noted that "it did not feel right" and was disturbing and could set a precedent.

Lynn Chronis, 14269 Sholes Court, addressed Council on behalf of her neighbors on Conejo Court, Sholes Court, Catherine Court and Esperanza Drive. She distributed a letter thanking the City Manager and Town Hall staff for the month-long test of no noise before 8:00 a.m.

11. PUBLIC HEARINGS

None

Council adjourned to Closed Session at 7:20 p.m.

12. CLOSED SESSION

CLOSED SESSION: Pursuant to Government Code Section 54956.8: Conference with Real Property Negotiator -
Property: – APN 182-19-011
Agency Negotiators: Maureen Cassingham and Mayor Pro Tem O'Malley
Negotiating Parties: Town of Los Altos Hills and Friends of Westwind, Inc.
Under Negotiation: Terms and Conditions related to Lease of Property

CLOSED SESSION: Pursuant to Government Code Section 54956.8: Conference with Real Property Negotiator -
Property: – 14374 Saratoga Avenue, Saratoga
Agency Negotiators: Maureen Cassingham
Negotiating Parties: Town of Los Altos Hills and County of Santa Clara,
Office of the Sheriff
Under Negotiation: Relocation of West Valley Patrol Substation

The City Council reconvened to the Regular City Council Meeting at 7:40 p.m.

The City Council provided direction to staff and no action was taken.

13. ADJOURNMENT

There being no further business the Regular City Council Meeting of October 2, 2003 was adjourned at 7:45 p.m.

Respectfully submitted,

Karen Jost
City Clerk

The minutes of the Regular City Council Meeting of October 2, 2003 was approved at the October 16, 2003 Special City Council Meeting.